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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,391	07/06/2001	Michael L. Obradovich	9800.1020	7196
7590	02/17/2005		EXAMINER ROSWELL, MICHAEL	
Alex L. Yip Kaye Scholer LLP 425 Park Avenue New York, NY 10022			ART UNIT 2173	PAPER NUMBER

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/900,391	<b>Applicant(s)</b> OBRADOVICH, MICHAEL L.	
	<b>Examiner</b> Michael Roswell	<b>Art Unit</b> 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 85-95 and 100-104 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 85-95 and 100-104 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                                              |                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2004030</u> , <u>20040707</u> | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 85-86, 90-95, and 100-101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shyu et al (US Patent 4,931,930), hereinafter Shyu, and Shimizu et al (US Patent 5,764,015), hereinafter Shimizu.

Regarding claims 85 and 100, Shyu discloses a system for use in a vehicle, comprising an interface for defining a parking space into which the vehicle is to be parked (the operation keyboard for selecting the mode of parking for the vehicle, at col. 7, lines 9-18), a processor for determining parameters concerning at least speed and steering for parking the vehicle into the parking space (the determination and transference of car-displacement data from a displacement sensing means to a microcomputer, at col. 2, lines 46-53 and 55-57), and a mechanism for controlling components of the vehicle to park the vehicle into the parking space based on the parameters (the use of the microcomputer for controlling the actuators of different driving mechanisms, at col. 8, lines 42-50).

However, Shyu fails to explicitly teach a display, wherein a simulation of parking a vehicle based on the parameters is selectable to be shown on the display.

Shimizu teaches an automatic driving apparatus suitable to automatically park a vehicle, similar to that of Shyu. Furthermore, Shimizu discloses a display, wherein a simulation of parking a vehicle based on the parameters is selectable to be shown on the display, shown as

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the use of a display section for informing the driver of the current states of the automatic driving mode in sound, characters, or pictures, at col. 7, lines 11-13.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Shyu and Shimizu before him at the time the invention was made to modify the automatic parking interface of Shyu to include the current state display of Shimizu in order to obtain an automatic driving mode for parking a vehicle wherein the user is apprised of the current state of the vehicle.

One would be motivated to make such a combination for the advantage of allowing the driver of the vehicle to maintain control of the parking sequence, and correct any possible errors that might occur. See Shimizu, col. 3, lines 6-11.

Regarding claims 86 and 101, Shimizu teaches an output device for emitting an audible signal while the vehicle is being parked, at col. 7, lines 11-14.

Regarding claims 90-93, Shyu teaches controlling components of the vehicle by way of a brake subsystem, a transmission subsystem, a steering subsystem, and a throttle subsystem, at col. 8, lines 42-50.

Regarding claim 94, Shimizu teaches the use of an LCD screen as a display section, at col. 6, lines 20-25.

Regarding claim 95, while Shyu and Shimizu fail to explicitly teach the interface including the display, such a combination is well known in the art, in such interfaces such as ATM machines or touch-screen displays. The Examiner takes OFFICIAL NOTICE of these

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teachings. Therefore, it would have been obvious to one of ordinary skill in the art to combine the interface of Shyu with the display of Shimizu for the advantage of easier access to the tools used in automated parking.

Claims 87-89 and 102-104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shyu, Shimizu, and Gandiglio et al (US Patent 5,297,650), hereinafter Gandiglio.

Regarding claims 87 and 102, Shyu and Shimizu teach a system for automated parking wherein a mechanism is used to control components of the vehicle, allowing for the vehicle to be parked without the user manually controlling the steering wheel, gas pedals, transmission, and other control components.

However, Shyu and Shimizu fail to explicitly teach a device receptive to a signal from outside the vehicle for initiating parking of the vehicle.

Gandiglio teaches a mechanism for externally operating a car during parking, wherein the driver need not manually control the steering wheel, gas pedals, transmission, and other control components, as in Shyu and Shimizu. Furthermore, Gandiglio discloses a device receptive to a signal from outside the vehicle for initiating parking of the vehicle, taught as the operation of the external control unit for parking the vehicle, at col. 2, lines 47-55.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Shyu, Shimizu, and Gandiglio before him at the time the invention was made to modify the system for automated parking of Shyu and Shimizu with the external control of Gandiglio in order to obtain a system for parking a vehicle wherein parking may be initiated externally.

One would be motivated to make such a combination for the advantage of convenient and easy parking of a vehicle in a narrow space. See Gandiglio, col. 1, lines 34-39.

Regarding claims 88 and 103, Gandiglio teaches externally aborting parking of a vehicle, taught as the completion of the parking maneuver, at col. 2, lines 55-60.

Regarding claims 89 and 104, Shyu, Shimizu, and Gandiglio fail to explicitly teach and output device requesting a user to exit the vehicle before parking of the vehicle. However, Shimizu has been shown *supra* to teach an output device for delivering information to a user. Furthermore, outputs requesting user action are well known in the art, such as audio reminders for when a user leaves the headlamps on or keys in the ignition, or visual reminders such as when the user fails to buckle themselves in, or the car's oil needs to be changed. The Examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to one of ordinary skill in the art to include a reminder that the user exits the vehicle in order to operate the external parking device of Gandiglio.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell  
2/9/2005

  
**RAYMOND J. BAYERL**  
**PRIMARY EXAMINER**  
**ART UNIT 2173**